The Minutes

July 30, 2007

C052083 THE PEOPLE v. MONTUE (Not for Publication)

The judgment is affirmed. MORRISON, J.

We Concur: Sims, Acting P.J.

Raye, J.

C052794 THE PEOPLE v. RUSSELL (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Blease, Acting P.J.

Raye, J.

C053848 THE PEOPLE v. BLANKS (Not for Publication)

The judgment is affirmed.

SIMS, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

C054127 THE PEOPLE v. BUCKLEY, JR. (Not for Publication)

The judgment is affirmed.

SIMS, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

C054812 THE PEOPLE v. COOPER (Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

C052833 HOLLAND v. UNION PACIFIC RAILROAD COMPANY

(Not for Publication)

The judgment is reversed and the matter remanded to the trial court with directions to vacate it order granting summary judgment and consider the remaining issues in the motion. The plaintiff shall recover his costs of appeal.

DAVIS, Acting P.J.

We Concur: Nicholson, J.

Hull, J.

The Minutes

July 31, 2007

C050264 THE PEOPLE v. HAMBLIN (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Blease, Acting P.J.

Raye, J.

C052476 THE PEOPLE v. AMARAL (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and forward a partition of the property of Corporations and Bahabilitation.

certified copy to the Department of Corrections and Rehabilitation.

SIMS, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

C053353 THE PEOPLE v. WARD (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Nicholson, Acting P.J.

Robie, J.

C050897 SPOTT v. UNITED RENTALS, INC., et al.

C051624 (Not for Publication)

The judgment and postjudgment order denying attorney fees are each

affirmed. Each party shall bear its own costs on appeal...

BUTZ, J.

We Concur: Davis, Acting P.J.

Nicholson, J.

C050919 JVMCM, INC. v. INTERNET AUTOMOTICE GROUP et al.

(Not for Publication)

The judgment for fraudulent misrepresentation and punitive damages is reversed. The judgment is affirmed in all other respects. The parties shall pay

their own costs on appeal...

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Butz, J.

C053355 CALIFORNIA CAPITAL INSURANCE COMPANY v. NIELSEN (CERTIFIED FOR PUBLICATION)

The judgment is affirmed. CCIC is awarded its costs on appeal...

DAVIS, Acting P.J.

We Concur: Nicholson, J.

Butz. J.

The Minutes

July 31, 2007, continued

C053595 CALIFORNIA HORSE RACING BOARD et al. v. WORKERS' COMPENSATION APPEALS BOARD and SNEZEK

(CERTIFIED FOR PUBLICATION)

THE COURT:

It is ordered that the opinion filed herein on July 2, 2007, be modified...

... There is no change in the judgment.

The opinion in the above-entitled matter was not certified for publication in the Official Reports. For good cause it no appears that the opinion should be published in the Official Reports and it is so ordered.

WE CONCUR:

DAVIS, Acting P.J. NICHOLSON, J. BUTZ, J.

August 1, 2007

C054243 YUBA STREET DEVELOPERS, LLC v. DEPARTMENT OF TRANSPORTATION et al. (Not for Publication)

The judgment is reversed and the trial court is directed to enter a new order overruling Caltrans's demurrer to the second amended petition for writ of mandate and complaint. Developers shall recover their costs on appeal...

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Raye, J.

C053022 THE PEOPLE v. WOODSON

(Not for Publication)

THE COURT:

Respondent's petition for rehearing is granted.

SIMS, Acting P.J.

DAVIS, J. RAYE, J.

C054899 THE PEOPLE v. MOORE

BY THE COURT:

The court examined the record on appeal and determined that the order appealed from is nonappealable... Therefore, the appeal filed on February 7, 2007, is dismissed.

Appellant's application for an order concerning the appealability of this case is denied as moot.

DAVIS, Acting P.J.

The Minutes

August 2, 2007

C049117 THE PEOPLE v. FROEMEL (Not for Publication)

The judgment is affirmed.

SIMS, J.

We Concur: Blease, Acting P.J.

Morrison, J.

C052094 NEWBY et al. v. DEPARTMENT OF GENERAL SERVICES et al.

DAVIS v. DEPARTMENT OF GENERAL SERVICES et al.

(Not for Publication)

The judgment is affirmed. Defendants shall recover costs on appeal.

RAYE, J.

We Concur: Blease, Acting P.J.

Davis, J.

C052205 In re A.R. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND

HUMAN SERVICES v. LISA B. (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.

Cantil-Sakauye, J.

C055714 AUTUMN H. v. THE SUPERIOR COURT OF SHASTA COUNTY and SHASTA

COUNTY DEPARTMENT OF SOCIAL SERVICES

(Not for Publication)

The petition is denied.

DAVIS, Acting P.J.

We Concur: Robie, J.

Butz, J.

C049858 THE PEOPLE v. STANCLIFF

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

C051008 THE PEOPLE v. DAVIDS

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

The Minutes

August 2, 2007, continued

C047837 BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC. C048252 BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC. BRITTALIA VENTURES v. STUKE NURSERY COMPANY, INC.

BY THE COURT:

Stuke Nursery Company, Inc.'s petition for rehearing is denied. DAVIS, Acting P.J.

August 3, 2007

C045254 THE PEOPLE v. YANG (Not for Publication)

The gang enhancement is reversed, and the case is remanded with

directions... In all other respects, the judgment is affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.

Hull, J.

C048097 THE PEOPLE v. RAMIREZ (Not for Publication)

The judgment is affirmed. MORRISON, J.

We Concur: Scotland, P.J.

Butz, J.

C048314 THE PEOPLE v. O'NEILL (Not for Publication)

The judgment is affirmed.

MORRISON, Acting P.J.

We Concur: Robie, J.

Butz. J.

C051526 THE PEOPLE v. PLOTS (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Scotland, P.J.

Robie, J.

C052330 THE PEOPLE v. MOHR (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

The Minutes

August 3, 2007, continued

C052935 THE PEOPLE v. RUGGLES (Not for Publication)

Defendant's conviction and sentence on count III are reversed... In all

other respects the judgment is affirmed.

SIMS, Acting P.J.

We Concur: Robie, J.

Cantil-Sakauye, J.

C052952 THE PEOPLE v. JOHNSON (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Morrison, J.

Cantil-Sakauye, J.

C052986 THE PEOPLE v. PLASTER (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

C053492 THE PEOPLE v. ETHERTON (Not for Publication)

The judgment is affirmed...

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

C053658 THE PEOPLE v. RIPLEY (Not for Publication)

Prior prison term enhancements number one and number two are hereby stricken. The judgment is otherwise affirmed. The trial court shall prepare an amended abstract of judgment to reflect the striking of the two prior prison term enhancements and shall forward a certified copy of the abstract of judgment to the Department of Corrections and Rehabilitation.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Robie, J.

C053732 THE PEOPLE v. WEST (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

The Minutes

August 3, 2007, continued

C053773 THE PEOPLE v. BROWN (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Morrison, J.

Cantil-Sakauye, J.

C054164 THE PEOPLE v. ALLRED (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

C054432 THE PEOPLE v. SANDOVAL (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Davis, Acting P.J.

Morrison, J.

C054758 THE PEOPLE v. JEMISON (Not for Publication)

The judgment is affirmed.

ROBIE. J.

We Concur: Scotland, P.J.

Butz, J.

C052082 STONERIDGE PARKWAY PARTNERS v. MW HOUSING PARTNERS III et al.

(CERTIFIED FOR PUBLICATION)

The judgment is affirmed. Costs on appeal are awarded to defendants...

NICHOLSON, J.

We Concur: Blease, Acting P.J.

Morrison, J.

C053285 In re NICHOLAS P.; THE PEOPLE v. NICHOLAS P.

(Not for Publication)

The portion of the probationary condition reading "or be in places where such substances are present" is amended... The juvenile court is directed to amend its records to reflect the foregoing changes and to forward the appropriate documents to the minor and the probation department. In all other respects, the judgment is affirmed.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Robie, J.

The Minutes

August 3, 2007, continued

C054793 In re M.A.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. LISA T. (Not for Publication)

The juvenile court's orders are affirmed.

RAYE, J.

We Concur: Davis, Acting P.J.

Morrison, J.

C054815 In re ETHAN N. et al.; SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES v. DEREK N. (Not for Publication)

The orders of the juvenile court are affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Morrison, J.

C055637 ARACELI S. v. SUPERIOR COURT OF PLACER COUNTY and DEPARTMENT OF HEALTH & HUMAN SERVICES (Not for Publication)

The petition is denied. The stay of proceedings previously granted is

vacated.

BLEASE, Acting P.J.

We Concur: Sims, J.

Nicholson, J.

C051868 THE PEOPLE ex rel. EDMIND G. BROWN, Jr., as Attorney General, etc. v. POWEREX CORPORATION (CERTIFIED FOR PUBLICATION)

THE COURT:

It is ordered that the opinion filed herein on June 11, 2007, modified and certified for publication on July 11, 2007, be further modified...

... This modification does not change the judgment.

FOR THE COURT:

BLEASE, Acting P.J.

MORRISON, J.

BUTZ, J.